

one or more web members extending between and attached to the lower portions of the support members, the web member positioned so as to be between successive wheels;

C1 an upper portion in the forefoot section of each support member, the upper portion extending upwardly from the lower portion and having an upper edge, and a mounting flange extends from each upper edge, the mounting flange having at least one mount hole; and

an upper portion in the heel section of each support member, the upper portion extending upwardly from the lower portion and having an upper edge, and a mounting flange extends from each upper edge, the mounting flange having at least one mount hole;

wherein in at least one of the heel and forefoot sections, the upper portions lie in substantially convergent planes in an upwardly extending direction above said one or more web members.

14. Cancelled

15. Cancelled

16. The chassis of Claim 13, wherein the chassis has an extruded unibody construction.

17. The chassis of Claim 13, wherein the support members are formed separately from one another.

18. The chassis of Claim 13, wherein each mounting flange extends from its respective upper edge in a direction away from the opposing upper portion.

19. The chassis of Claim 13, wherein the upper portions in the heel section of the chassis lie in substantially convergent planes in an upwardly extending direction.

20. The chassis of Claim 13, wherein the upper portions in the forefoot section of the chassis lie in substantially convergent planes in an upwardly extending direction.

C2 21. (Amended) The chassis assembly of Claim 17, wherein the support members and one or more web member are integrally attached to one another.

22. (Amended) A roller skate chassis assembly for attachment of a plurality of skate wheels, said chassis assembly comprising:

an elongate left chassis member and an elongate right chassis member, each chassis member having a front region, a back region, and a substantially planar lower portion extending through the front and back regions, the left and right chassis members being spaced apart from each other and arranged so that the left and right lower portions lie in substantially parallel planes, the lower portions being adapted so that a plurality of skate wheels are supported therebetween;

one or more web members extending between the left and right chassis members and adapted so that the chassis members and one or more web members are integrally attached to one another;

each chassis member having a substantially planar upper portion in the front region and a substantially planar upper portion in the back region, the upper portions being positioned substantially above the one or more web members;

a forefoot mount defined above the front upper portions in the front regions of the left and right chassis members, the forefoot mount being adapted to accomodate attachment of a forefoot portion of a skate boot sole; and

a heel mount defined above the back upper portions in the back regions of the left and right chassis members, the heel mount being adapted to accomodate attachment of a heel portion of a skate boot sole;

wherein at least one of the upper portions of each of the chassis members lies in a plane that is inclined relative to the adjacent planar lower portion and is convergent in an upward direction with the corresponding planar upper portion of the spaced apart chassis member.

~~23. The chassis assembly of Claim 22, wherein the upper portions in the back regions of each of the left and right chassis members lie in planes that are inclined relative to their corresponding lower portions, such that said chassis assembly forms substantially an A-frame when viewed in cross section at the back regions of the chassis members.~~

24. The chassis assembly of Claim 22, wherein the upper portions in the front regions of each of the left and right chassis members lie in planes that are inclined relative to their corresponding lower portions, such that said chassis assembly forms substantially an A-frame when viewed in cross section at the front regions of the chassis members.

~~25. The chassis assembly of Claim 22, wherein the chassis assembly has unitary, extruded construction.~~

26. (Amended) The chassis assembly of Claim 22, wherein the left chassis member, right chassis member and one or more web member are formed separately from one another.

27. (Amended) The chassis assembly of Claim 26, wherein the chassis members are welded to the one or more web member.

~~28. The chassis assembly of Claim 22, wherein at least one of the upper portions of each of the chassis members lies in a plane that is inclined between about 60° - 88° relative to the plane of the lower portion.~~

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Please add the following new claims:

29. (New) A method of making a roller skate chassis, comprising:

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forming an elongate left chassis member and an elongate right chassis member, each chassis member having a front region, a back region, a substantially planar lower portion extending through the front and back regions, a substantially planar upper portion in the front region, and a substantially planar upper portion in the back region, at least one of the upper portions of each chassis member being angled relative to the respective lower portion, a forefoot mount portion defined above the front upper portions of the left and right chassis members, each forefoot mount being adapted to accomodate attachment of a forefoot portion of a skate boot sole, and a heel mount portion defined above the back upper portions of the left and right chassis members, each heel mount being adapted to accomodate attachment of a heel portion of a skate boot sole;

forming at least one cross member; and

arranging the at least one cross member between the left and right chassis members so that the at least one cross member extends between the left and right chassis members, the chassis members are spaced apart from one another, the upper portions of the chassis members are positioned substantially above the at least one cross member, and at least one of the upper portions of each of the chassis members lies in a plane that is inclined relative to the adjacent planar lower portion and is convergent in an upward direction with the corresponding planar upper portion of the spaced apart chassis member.

Appl. No. : 09/669,869  
Filed : September 21, 2000

30. (New) The method of Claim 29, wherein the left chassis member, right chassis member and cross member are formed separately.

31. (New) The method of Claim 30, wherein the left and right chassis members are welded to the cross member.

32. (New) The method of Claim 29, wherein forming comprises extruding a billet of material and machining the extruded billet.

C4 33. (New) The method of Claim 32, wherein the chassis has a unibody construction.

34. (New) The method of Claim 29, wherein the upper portions in the back regions of each of the left and right chassis members lie in planes that are inclined relative to their corresponding lower portions, such that said chassis forms substantially an A-frame when viewed in cross section at the back regions of the chassis members.

35. (New) The method of Claim 29, wherein the upper portions in the front regions of each of the left and right chassis members lie in planes that are inclined relative to their corresponding lower portions, such that said chassis forms substantially an A-frame when viewed in cross section at the front regions of the chassis members.

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### COMMENTS

In response to the Office Action mailed July 16, 2002 and in connection with the Request for Continued Examination filed herewith, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

#### Changes to Claims Reflected in Present Response Shown on Attached Pages

For the Examiner's convenience, the specific changes to the amended claims, reflecting the changes made per the present Response, are shown on a separate set of pages attached hereto and entitled **VERSION WITH MARKINGS TO SHOW CHANGES MADE RELATIVE TO PREVIOUS CLAIMS**, which follows the signature page of this Amendment.

#### Claims 13 and 16-28 Do Not Improperly Recapture Surrendered Subject Matter

The Examiner rejected Claims 13 and 16-28 under 35 U.S.C. § 251 as being an improper recapture of subject matter surrendered in the parent application. Applicants respectfully

Appl. No. : 09/669,869  
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disagree with the Examiner's contention; however, to speed prosecution, Claims 13, 21, 22, 26 and 27 have been amended to resolve the Examiner's concerns.

In the Office Action, the Examiner specifically objected to the phrases "at least one cross-member extending between", "in an upwardly extending direction", and "a pair of elongate, spaced apart members" in reissued Claim 13. The Examiner also objected to the phrase "at least one cross-member extending between" in reissued Claim 22. Claims 13 and 22 have been amended to replace the objectionable phrases with text from the issued claims. Claims 21, 26 and 27 have been amended to maintain consistency with Claims 13 and 22, from which they depend. Applicants believe that the Examiner's concerns regarding recapture have been resolved, and respectfully request the Examiner to remove the rejection of these claims.

#### New Claims

New Claims 29-35 have been added in order to present a claim directed to a method for making a roller skate chassis. New Claim 29 is an independent method claim from which new Claims 30-35 depend. All of the new claims recite patentable subject matter and are considered to be in condition for allowance.

#### CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejection under 35 U.S.C. § 251 as set forth in the outstanding Office Action is inapplicable to the present claims. If any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Respectfully submitted,

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